

CH

**FILED**

IN THE  
UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, U.S. DISTRICT COURT  
*APR 14 2008*  
*Apr 14 2008*  
MICHAEL W. DORRINE  
CLERK, U.S. DISTRICT COURT

Anthony Wheeler, pro se, plaintiff,	)	NOTICE OF APPEAL
	)	Fed. R. App. P. 4(a)(4)
	)	
VS.	)	08 C 1637
	)	
	)	
Roger E. Walker, et al., defendants.	)	Hon: Charles P. Kocoras judge presiding
	)	

**NOTICE OF APPEAL**

Notice is hereby given that, I, Anthony Wheeler, (plaintiff-pro se) hereby appeal to the United States Court of Appeals for the Seventh Circuit from the final judgment entered on March 26, 2008, dismissing this action pursuant to 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim.

Respectfully Submitted,

*Anthony Wheeler*  
Anthony Wheeler, pro se  
Reg. #A-61100  
P.O. Box 999  
Pinckneyville, Ill. 62274

(1)

**United States District Court**  
**Northern District of Illinois**  
**Eastern Division**

Anthony Wheeler

**JUDGMENT IN A CIVIL CASE**

v.

Case Number: 08 C 1637

Roger E. Walker et al

- Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury rendered its verdict.
- Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED that plaintiff's complaint is dismissed. All matters in controversy having been resolved, final judgment of dismissal is entered in favor of the defendants and against plaintiff.

Michael W. Dobbins, Clerk of Court

Date: 3/26/2008

/s/ Stephen C. Tokoph, Deputy Clerk

**SEVENTH CIRCUIT COURT OF APPEALS INFORMATION SHEET**

Include the names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal. Use a separate sheet if needed.

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION DOCKET NUMBER: 08 cv 1637

PLAINTIFF (Petitioner)

v.

DEFENDANT (Respondent)

Wheeler/appellant	Walker/appellee
-------------------	-----------------

(Use separate sheet for additional counsel)

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name	Anthony Wheeler	Name	Il. Dept. Of Corr.
Firm	pro-se #A-81100	Firm	
Address	Pinckneyville - PCC P.O. Box 999 Pinckneyville, Il. 62274	Address	100 W. Randolph Suite 4-200 Chgo.Ill. 60601
Phone		Phone	312) 814-2235

## Other Information

District Judge	Kocoras	Date Filed in District Court	3/26/08
Court Reporter	J. Hanhardt X-6874	Date of Judgment	3/27/08
Nature of Suit Code	555	Date of Notice of Appeal	4/14/08

COUNSEL:      Appointed       Retained       Pro Se

FEE STATUS:      Paid       Due       IFP   
 IFP Pending       U.S.       Waived

Has Docketing Statement been filed with the District Court Clerk's Office?      Yes       No

If State/Federal Habeas Corpus (28 USC 2254/28 USC 2255), was Certificate of Appealability:

Granted       Denied       Pending

If Certificate of Appealability was granted or denied, date of order: \_\_\_\_\_

If defendant is in federal custody, please provide U.S. Marshall number (USM#): \_\_\_\_\_

**IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(A). Rev 04/01**

**United States District Court**  
**Northern District of Illinois**  
**Eastern Division**

Anthony Wheeler

**JUDGMENT IN A CIVIL CASE**

v.

Case Number: 08 C 1637

Roger E. Walker et al

- Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury rendered its verdict.
- Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED that plaintiff's complaint is dismissed. All matters in controversy having been resolved, final judgment of dismissal is entered in favor of the defendants and against plaintiff.

Michael W. Dobbins, Clerk of Court

Date: 3/26/2008

/s/ Stephen C. Tokoph, Deputy Clerk

APPEAL, KEYS, PC, TERMED

**United States District Court  
Northern District of Illinois - CM/ECF LIVE, Ver 3.1.3 (Chicago)  
CIVIL DOCKET FOR CASE #: 1:08-cv-01637  
Internal Use Only**

Wheeler v. Walker et al  
Assigned to: Honorable Charles P. Kocoras  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/26/2008  
Date Terminated: 03/26/2008  
Jury Demand: Plaintiff  
Nature of Suit: 555 Civil Rights (Prison Condition)  
Jurisdiction: Federal Question

**Plaintiff**

**Anthony Wheeler**

represented by **Anthony Wheeler**  
A-81100  
Pinckneyville - PCC  
P.O. Box 999  
Pinckneyville, IL 62274  
PRO SE

V.

**Defendant**

**Roger E. Walker**

*Director, Illinois Department of Corrections*

**Defendant**

**Mays**

*Sergeant*

**Defendant**

**Butkiewicz**

*Counselor*

**Defendant**

**Lifter**

*Officer*

**Defendant**

**Mc Dowell**

*Sergeant*

**Defendant**

**Young**  
*Lieutenant*

**Defendant**

**G Moore**  
*Officer*

**Defendant**

**Terry Mc Cann**  
*Warden*

**Service List**

represented by **Illinois Department of Corrections**  
100 West Randolph, Suite 4-200  
Chicago, IL 60601  
*ATTORNEY TO BE NOTICED*

**Prisoner Correspondence - Internal  
Use Only**  
Email:  
Prison1\_ILND@ilnd.uscourts.gov  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
03/20/2008	<a href="#">1</a>	RECEIVED Complaint and 6 copies by Anthony Wheeler (Exhibits). (td, ) (Entered: 03/21/2008)
03/20/2008	<a href="#">2</a>	CIVIL Cover Sheet. (td, ) (Entered: 03/21/2008)
03/20/2008	<a href="#">3</a>	APPLICATION by Plaintiff Anthony Wheeler for leave to proceed in forma pauperis (Exhibits). (td, ) (Entered: 03/21/2008)
03/20/2008	<a href="#">4</a>	MOTION by Plaintiff Anthony Wheeler for appointment of counsel. (td, ) (Entered: 03/21/2008)
03/20/2008	<a href="#">5</a>	MOTION by Plaintiff Anthony Wheeler for appointment of special master. (td, ) (Entered: 03/21/2008)
03/20/2008	<a href="#">8</a>	POST MARKED envelopes for initiating document by Anthony Wheeler (Document not scanned) (aew, ) (Entered: 04/07/2008)
03/26/2008	<a href="#">6</a>	MINUTE entry before Judge Honorable Charles P. Kocoras: The plaintiff's motion for leave to file in forma pauperis [#3] is granted. However, the complaint is dismissed pursuant to 28 U.S.C. § 1915(e)(2) (B) for failure to state a claim. The case is terminated. The plaintiff's motions for appointment of counsel [#4] and appointment of a special master [#5] are denied as moot. The trust fund officer at the plaintiff's place of confinement is authorized and ordered to make deductions from the plaintiff's account and payments to the clerk of court in accordance with this order. The clerk is directed to mail a copy of this order to the

		trust fund officer at the Pinckneyville Correctional Center. This dismissal counts as one of the plaintiff's three allotted dismissals under 28 U.S.C. § 1915(g). Civil case terminated. Mailed notice (td, ) (Entered: 03/27/2008)
03/26/2008	<a href="#">7</a>	ENTERED JUDGMENT Signed on 3/26/2008. (td, ) (Entered: 03/27/2008)
03/27/2008		MAILED copy of minute order dated 3/26/2008 to Trust Fund Officer at the Pinckneyville Correctional Center. (td, ) (Entered: 03/27/2008)
04/14/2008	<a href="#">9</a>	NOTICE of appeal by Anthony Wheeler regarding orders <a href="#">6</a> , <a href="#">7</a> (cja) (dj, ) (Entered: 04/15/2008)
04/14/2008	<del><a href="#">10</a></del>	MOTION by Plaintiff Anthony Wheeler for leave to appeal in forma pauperis (dj, ) (Entered: 04/15/2008)
04/15/2008	<a href="#">11</a>	NOTICE of Appeal Due letter sent to counsel of record (dj, ) (Entered: 04/15/2008)